

**THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**ANTHONY MCBRIDE,
ADC #62716**

PLAINTIFF

v.

Case No. 4:20-cv-01507-KGB

DOES

DEFENDANTS

ORDER

Before the Court is the Recommended Disposition submitted by United States Magistrate Judge Beth Deere (Dkt. No. 9). Judge Deere recommends that plaintiff Anthony McBride's claims be dismissed without prejudice for failure to notify the Court of an address change, as Local Rule 5.5(c)(2) requires (*Id.*, at 1-2). Judge Deere's Recommended Disposition and several other documents were mailed to Mr. McBride but returned as undeliverable (Dkt. Nos. 6, 8, 10).

Mr. McBride submitted a notice of change of address and statement of facts on April 20, 2021, and May 26, 2021 (Dkt. Nos. 11, 12). He also submitted a notice for status on July 30, 2021 (Dkt. No. 13). Mr. McBride submitted in September 2021 an addendum requesting to amend his complaint (Dkt. No. 15), and he filed a motion to amend his complaint in December 2021 (Dkt. No. 17). In most of his filings, Mr. McBride has provided the same Roosevelt Road address on file with the Court as his return address; this is the address for the Pulaski County, Arkansas, Detention Facility. The Court confirmed on the publicly available inmate roster for the Pulaski County, Arkansas, Detention Facility that Mr. McBride remains listed as an inmate. *Inmates*, Pulaski County Sheriff's Office, <https://pulaski-so-ar.zuercherportal.com/#/inmates> (last visited Feb. 14, 2022).

As a result, because the Court is concerned that mail properly directed to Mr. McBride may not have been received by Mr. McBride, the Court declines to adopt the Recommended Disposition

(Dkt. No. 9). At this time, Mr. McBride still has failed to identify clearly for the Court the individual defendants whom he wishes to sue. In his complaint, he identifies nurses and a deputy (Dkt. No. 1), but he does not name those individuals in that filing. In his later filings, Mr. McBride identifies many individuals, but it is unclear to the Court whom he intends to name as a defendant and to sue in this case (Dkt. Nos. 11, 12, 17). Mr. McBride must identify the defendant or defendants he intends to sue to permit service of the summons and complaint to pursue this case (Dkt. No. 3). Mr. McBride must identify the individual or individuals he wishes to sue and explain to the Court in plain language what acts each individual took that Mr. McBride contends harmed him. Mr. McBride also must identify the relief he seeks in his case.

For these reasons, the Court declines to adopt the Recommended Disposition and directs Mr. McBride within 30 days from the date of this Order to identify for the Court in a written filing the defendant or defendants he intends to sue to permit service of the summons and complaint to pursue this case, to explain to the Court in plain language what acts each individual took that Mr. McBride contends harmed him, and to identify the relief he seeks in his case.

Mr. McBride filed a motion for copies in December 2021 (Dkt. No. 18). The Court grants the motion and directs the Clerk of Court to send to Mr. McBride the docket sheet in this case, along with a copy of this Order and docket entry numbers (Dkt. Nos. 2, 3, 4, 5, 7, 9, 11, 12, 17). Mr. McBride may request in a written filing submitted to the Court a copy of any other documents he seeks to obtain by stating the docket number from the docket sheet.

Mr. McBride filed several motions for status (Dkt. Nos. 13, 19, 20). The Court grants Mr. McBride's motions and provides to Mr. McBride this status update.

For these reasons, the Court declines to adopt the Recommended Disposition (Dkt. No. 9). The Court directs Mr. McBride within 30 days from the date of this Order to identify for the Court

in a written filing the defendant or defendants he intends to sue to permit service of the summons and complaint to pursue this case, to explain to the Court in plain language what acts each individual took that Mr. McBride contends harmed him, and to identify the relief he seeks in his case. Failure to do so may result in Mr. McBride's case being dismissed without prejudice.

It is so ordered this 30th day of March, 2022.



Kristine G. Baker
United States District Judge